

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

<b>CORE WIRELESS LICENSING S.A.R.L.,</b>	)	
	)	
<b>Plaintiff,</b>	)	<b>CIVIL ACTION NO. 6:12-CV-100</b>
	)	
<b>vs.</b>	)	<b>JURY TRIAL DEMAND</b>
	)	
<b>APPLE INC.,</b>	)	
	)	
<b>Defendant.</b>	)	

**CORE WIRELESS LICENSING S.A.R.L.’S MOTION FOR EXPEDITED BRIEFING ON  
ITS MOTION TO COMPEL DISCOVERY AND SEEK DISCOVERY SANCTIONS FOR  
APPLE INC.’S LATE AND INCOMPELTE PRODUCTION OF PA CONSUTLING  
REPORTS AND DATABASES**

Pursuant to Local Rule 7(e), Plaintiff Core Wireless Licensing S.A.R.L. (“Core Wireless”) moves for an order expediting the briefing schedule as to its contemporaneously-filed Motion to Compel Discovery and Seek Discovery Sanctions for Apple Inc.’s Late and Incomplete Production of PA Consulting Reports and Databases (the “Motion”).

Fact discovery in this litigation closed on February 28, 2014 and Core Wireless’s opening expert reports are due in less than two weeks. Amended Docket Control Order [Dkt. No. 185]. Rebuttal expert witness reports are due on May 2, 2014, and expert discovery closes on May 27, 2014. *Id.* Apple Inc. (“Apple”) has repeatedly refused to provide meaningful additional discovery on the PA Consulting reports and databases as Core Wireless has requested. Some of the materials Core Wireless is seeking are the same materials that Apple’s experts relied on to calculate royalty rates in the *Motorola v. Apple* litigation. Declaration of John D. Beynon,

Exh. 3 (Suppl. Expert Report (*Apple v. Motorola*)) at p.16, fn. 44 (citing PA Consulting LTE Database and Reports). These same materials must be made available to Core Wireless's experts for expert discovery, including to supplement their reports if necessary.

Accordingly, Core Wireless proposes the following schedule:

Brief	Due Date
Apple's Response to the Motion	Monday, March 31, 2014
Core Wireless's Reply, as needed	Monday, April 7, 2014

The expedited briefing is further appropriate because Core Wireless requested these documents more than two months ago. *Id.*, Exh. 10 (1/24/2014 Letter to Apple). Since that letter Apple has been delaying and postponing production of the requested materials, including requiring Core Wireless to call PA Consulting's legal counsel, and implementing an inspection and review process.

For good cause shown, Core Wireless respectfully requests that the Court enter an order adopting the above-proposed expedited briefing schedule concerning the Motion.

Dated: March 24, 2014

Respectfully Submitted,

By: /s/ Henry C. Bunsow

Henry C. Bunsow (California State Bar # 60707)

Denise M. De Mory (California State Bar #168076)

Brian A.E. Smith (California State Bar # 188147)

Craig Y. Allison (California State Bar # 161175)

**BUNSOW DE MORY SMITH & ALLISON LLP**

55 Francisco Street, 6<sup>th</sup> Floor

San Francisco, CA 94133

Telephone: (415) 426-4747

Facsimile: (415) 426-4744

Email: hbunsow@bdiplaw.com

Email: ddemory@bdiplaw.com

Email: bsmith@bdiplaw.com

Email: callison@bdiplaw.com

Wesley Hill

State Bar No. 24032294

E-mail: wh@wsfirm.com

T. John Ward, Jr.

State Bar No. 00794818

E-mail: jw@wsfirm.com

**WARD & SMITH LAW FIRM**

P.O. Box 1231

1127 Judson Rd., Ste. 220

Longview, Texas 75606-1231

(903) 757-6400 (telephone)

(903) 757-2323 (facsimile)

**ATTORNEYS FOR PLAINTIFF**

**CORE WIRELESS LICENSING S.A.R.L.**

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing document was filed electronically in compliance with Local Rule CV-5(a). Therefore, this document was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to Fed.R.Civ.P. 5(d) and Local Rule CV-5(e), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of this document via email, facsimile and/or U.S. First Class Mail.

Dated: March 24, 2014

/s/ Henry C. Bunsow  
Henry Bunsow

**CERTIFICATE OF CONFERENCE**

The undersigned certifies that on March 17, 2014 Apple responded in an email to Core Wireless's request to expedite the Motion by objecting to an expedited briefing.

Dated: March 24, 2014

/s/ Henry C. Bunsow  
Henry Bunsow